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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,202	01/21/2004	Kia Silverbrook	RRA03US	1355
24011 7590 01/04/2007 SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, NSW 2041 AUSTRALIA			EXAMINER HUFFMAN, JULIAN D	
			ART UNIT	PAPER NUMBER
			2853	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/04/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

5/

<b>Office Action Summary</b>	Application No.		Applicant(s)	
	10/760,202		SILVERBROOK, KIA	
	Examiner		Art Unit	
	Julian D. Huffman		2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook (U.S. 20020154189 A1) in view of Katayama et al. (U.S. 5,353,051).

Silverbrook discloses:

With regards to claim 1, an inkjet printer cartridge (figs. 3 and 9) including:

a body (fig. 3, the cartridge has a body, 0025, 0051) including,

a printing fluid storage for separately storing a set of colored inks (0055, fig. 9, the rectangular portions below the printheads represent the fluid storage), and

a full color pagewidth printhead including at least 20,000 printing fluid delivery nozzles in fluid communication with the printing fluid storage (printhead chips together make up a pagewidth printhead, which is mounted on the cartridge of fig. 3, 0044-0045, 0089, 0090);

wherein said cartridge is configured to be replaceably receivable in a complementary cradle so that when mated together, said cartridge and said cradle together form an inkjet printer (fig. 7).

With regards to claim 2, a printer cartridge according to claim 1, wherein the printhead includes at least 30,000 printing fluid delivery nozzles in fluid communication with the printing fluid storage (0090).

With regards to claim 3, a printer cartridge according to claim 2, wherein the printhead comprises a pagewidth printhead (0090).

With regards to claim 4, a printer cartridge according to claim 3, wherein the printing fluid storage comprises a collapsible membrane, said membrane defining one or more storage reservoirs for separately storing one or more printing fluids for printing (the reference incorporates by reference several applications and patents, including application number 10/113053, U.S. Patent 6,362,868, which recites in claim 10, ink reservoirs with collapsible membranes).

With regards to claim 5, a printer cartridge according to claim 4, wherein the one or more printing fluids is a set of coloured inks sufficient for colour printing (0056, CMYK).

With regards to claim 6, a printer cartridge according to claim 5, wherein the one or more printing fluids includes an ink fixative for facilitating fixing of ink following delivery by said fluid delivery nozzles (0056).

With regards to claim 7, a printer cartridge according to claim 6, wherein the one or more printing fluids includes an infrared ink (0056).

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Silverbrook also discloses the print cartridge mounted in a recess of a cradle of an inkjet printer (fig. 7). The cradle in which the cartridge is mounted includes control circuitry for controlling the print cartridge (0044, PCB's).

Silverbrook does not expressly disclose a printhead mounted in a replaceable manner, or the printhead cartridge comprising printhead maintenance means for maintaining proper printhead functioning wherein the cradle has a drive means for driving the printhead maintenance means.

However, Katayama et al. discloses a replaceable cartridge, with a printhead and printing fluid storage, mounted in a printer (column 11, lines 41-47) and printhead maintenance means in the cartridge (column 11, lines 48-58, the means for preliminary ejection is in the cartridge and is controlled by the main printer controller).

It would have been obvious to one having ordinary skill in the art to modify the printer cartridge of the above embodiment to be a replaceable printer cartridge and to provide maintenance means, as taught by Katayama et al., for the purpose of enabling the user to easily replace the entire printhead assembly with a new assembly should the old assembly fail and maintaining the printhead in a proper operating state.

### ***Response to Arguments***

3. Applicant's arguments filed 11 October 2006 have been fully considered but they are not persuasive.

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In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Silverbrook discloses the color pagewidth printhead, while Katayama provides the teaching of a removable printer cartridge with a printhead and printing fluid storage.

### **Conclusion**

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian D. Huffman whose telephone number is (571) 272-2147. The examiner can normally be reached on 10:00a.m.-6:30p.m. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Julian D. Huffman  
Art Unit 2853  
19 December 2006